



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,577	03/29/2004	Efraim Atad	27382	9507
7590 Martin D. Moynihan PRTSL, Inc. P.O. Box 16446 Arlington, VA 22215				
			EXAMINER RAY, AMIT K	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 06/18/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/810,577

Applicant(s)

ATAD ET AL.

Examiner

AMIT K. RAY

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendments

1. The applicant has amended independent Claims 1 and 12 and the rest are dependent claims which are left as original.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection. Although a new ground of rejection has been provided, a response is considered necessary for several of applicant's arguments since the Reisman reference will continue to be used to meet several claimed limitations.

A. Re. Claim 1, applicant argues that reference of Reisman does not teach a broadcast multi-channel video signal and the applicant is not aware of Internet providing multi-channel video signal to the user as it would be wasteful of resources.

The Examiner respectfully disagrees with the applicant. Reisman provides systems and methods (refer to [0010]) for navigating hypermedia (i.e. television and Internet sources as recited in [0002]) and especially **multi-channel** hypermedia (see [0707]). In considering **multi-channel** services, Reisman further recites that many aspects of programming channels constitutes groupings of programs into logical channels and conventional TV channels as transport channels (see [0708]), where the term "program" refers to video segment or groups of segments, including conventional broadcast, or cable/satellite (See

Art Unit: 2623

[0063]) and the term "television" means to include any video content (see [0061]) of analog and digitally coded video, television, **Internet television or IPTV or IP video**, etc., (see [0078], lines 1-5). It is therefore apparent that Reisman teaches multi-channel video signal.

Fig.1 and section [0098], clearly points out that content/connectivity 110 is transmitting multi-channel video signal via Internet 124 and Home Network/LAN 128 to TV/ITV as well as directly by cable 122.

B. Applicant argues that Reisman does not teach broadcast receiver Installation. Referring to Fig.1 and section [0098], Reisman recites an exemplary home system environment 100 having a number of independent systems including TV or ITV system 130 connected to the outside world via a **home network/LAN 128**, which receives **broadcast via Internet 124** from various servers and other sources and, furthermore, referring to section [0090], lines 6-10, Reisman recites that "broadcast" applies to any form of distribution, including conventional TV and radio terrestrial broadcast, cable and satellite distribution and the like. Therefore, home network/LAN 128 and wireless network 126 and Internet 124 constitute the broadcast receiver installation.

C. Applicant also argues that Reisman does not teach that broadcast receiver installation of users for relay nodes of the wireless network. The Examiner again respectfully disagrees with the applicant. In section [0098] and referring to Fig.1, Reisman recites the TV or ITV systems being connected to each other and the outside world via home network or LAN or hub 128, which

Art Unit: 2623

may be wireless, thereby disclosing the broadcast receiver installation of users for relay nodes of the wireless network.

D. Applicant argues that Reisman fails to teach the return channel using a wireless terrestrial network. In this regard, referring to section [0222] and Fig.7a and Fig.1, Reisman discloses a bi-directional connectivity encompassing TV 130, full network 120, Internet 124, wireless network 126 and other content/connectivity 110.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action

A person shall be entitled to a patent unless –

(e) the invention was described in-
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

4. Claims 1-5, 8, 12-16 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Reisman, US Pub 20040031058.

Re. Claim 1, Reisman discloses **a TV broadcasting system comprising: an outward broadcast link configured to supply a multi-channel video signal to reach each of a plurality of users** ([0049], reciting multiple users) via user broadcast receiver installations (Fig.1, [0098], lines 1-29, Reisman reciting an exemplary home system environment 100 having a number of independent systems including TV/ITV system130 connected to outside world via Home Network/LAN 128, which receives broadcast via Internet 124 from various servers and other sources or being directly connected to the set-top box and TV/ITV 130, and therefore, home network/LAN 128 and wireless network 126 and Internet 124 constitute the broadcast receiver installation) **and a return link from each of said plurality of users, said return link being provided over a terrestrial wireless channel via a terrestrial wireless network comprising a plurality of nodes as relay stations, said nodes as relay stations being provided by at least some of said plurality of user broadcast receiver installations, said user broadcast receiver installations thereby providing infrastructure for said return link** ([0049], showing multiple users; Fig.1, showing Home Network/LAN 128, Wireless Network 126, Internet 124 as return link for users to communicate with the content/connectivity 110; Fig.1 and Fig.7a, [0222], lines 1+, disclosing a bi-directional connectivity encompassing TV 130, full network 120, Internet 124, wireless network 126 and other content/connectivity 110).

Re. Claim 2, the system of claim 1, wherein said outward broadcast link is a satellite link (Fig.1 showing satellite connection to set-top box).

Re. Claim 3, the system of claim 1, wherein said outward broadcast link is a terrestrial link (Fig. 1, home network LAN 128, wireless network 126, and Internet 124 form the terrestrial network).

Re. Claim 4, the system of claim 1, wherein said terrestrial network further supports a second forward link to each of said plurality of user receiver installations (Home Network LAN and Wireless Network 126 provide networking)

Re. Claim 5, the system of claim 1, wherein said terrestrial network is a wide area network (WAN) operative substantially in accordance with IEEE standard 802.16 or IEEE standard 802.20 ({0085}, lines 18-20)

Re. Claim 8, the system of claim 1, comprising a plurality of terrestrial networks (Fig.1, Home Network/LAN 128, Wireless Network 126, Internet 124).

Re Claims 12-16 and 19 are method claims corresponding to system claims 1-5 and 8 respectively. Thus, they have been analyzed and rejected with respect to claims 1-5 and 8.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6, 7, 9-11, 17, 18, and 20-22 are rejected under 35

U.S.C. 103(a) as being unpatentable over Reisman in view of Kalika et al, US 20070054670.

Re Claim 6, the system of claim 1, wherein at least some of said nodes comprise support for a communications hotspot, Reisman teaches the system of Claim 1.

Reisman does not teach of nodes comprising support for a communications hotspot.

In an analogous art, Kalika teaches of nodes comprising support for a communications hotspot ([0092], lines 1-6).

Therefore, it would have been obvious to one with ordinary skill in the art to modify Reisman to include hotspot, as taught by kalika, for the benefit of user knowing the areas of hotspot where user LAN and WAN would be active.

Re. Claim 7, the system of claim 6, Reisman teaches the system of claim 6 wherein said communications hotspot is substantially in accordance with IEEE Standard 802.11 ([0255], lines 11-17).

Re. Claim 9, the system of claim 1, wherein said terrestrial network comprises a central base station for broadcasting to other nodes thereof using a mesh algorithm, Reisman teaches the system of Claim 1,

Reisman does not teach central base station for broadcasting to other nodes thereof using a mesh algorithm.

In an analogous art, Kalika teaches a central base station for broadcasting to other nodes thereof using a mesh algorithm ([0115], lines 1-18)

Re. Claim 10, the system of claim 9, Reisman teaches IP core infrastructure to transmit data between a head end unit and said central base station (Fig. 1, showing cable connection via Internet/Home Network or via Internet/Wireless Network/Home Network to Set-top Box; [0483], lines 1-20, disclosing transmission path from head end to wide area networks via Internet)

Re. Claim 11, the system of claim 1, comprising a head end unit to direct TV channel content over said outward broadcast link and to manage interactive services for respective users using data received from respective users over said return link is rejected on the same grounds as Claim 10.

Re Claims 17, 18 and 20-22 are method claims corresponding to system Claims 6, 7, and 9-11. Thus, they have been analyzed and rejected with respect to Claims 6, 7, and 9-11.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

CONCLUSION

Any enquiry concerning this communication from the examiner should be directed to Amit Ray whose telephone number is 571-272-6339. The examiner can normally be reached on Monday-Friday, alternate Friday off, 7:30 AM –5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where the application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Statute information for published applications may be obtained from either PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on accessing the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Grant/

Supervisory Patent Examiner, Art Unit 2623